

United States District Court

DISTRICT
Eastern District of Pennsylvania

FILED 1

UNITED STATES OF AMERICA

v.
 Chhun Pril, a/k/a "Wolf" - 1
 Tony Nguyen - 2
 Olutokunbo Effunnuga, a/k/a "Sheng" - 3
 Jennifer Khounsacknarath - 4
 Danny Klot - 5

DOCKET NO.

AUG 21 2008

MAGISTRATE'S CASE By MICHAEL E. KUNZ, Clerk
Dep. Clerk

88-1115-M

Complaint for violations of Title 21 United States Code §§ 846, 841(a)(1) and 843

NAME OF JUDGE OR MAGISTRATE

Honorable TIMOTHY R. RICE

OFFICIAL TITLE

U.S. Magistrate Judge

LOCATION

Philadelphia, PA

DATE OF OFFENSE

April 2008 to August
2008

PLACE OF OFFENSE

Eastern District of PA and
elsewhere

ADDRESS OF ACCUSED (if known)

COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

Conspiracy to distribute and to possess with intent to distribute MDMA ("ecstasy"), a Schedule I controlled substance; and, knowing and intentional use of a communication facility to commit, cause and facilitate a drug trafficking offense.

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

SEE AFFIDAVIT ATTACHED HERETO.

MATERIAL WITNESSES IN RELATION AGAINST THE ACCUSED:

Being duly sworn, I declare that the foregoing
is true and correct to the best of my knowledge.

SIGNATURE OF COMPLAINANT (official title)

Brendan Cullen

OFFICIAL TITLE

Special Agent, ICE

Sworn to before me and subscribed in my presence.

SIGNATURE OF MAGISTRATE (1)

Honorable Timothy R. Rice, United States Magistrate Judge

DATE

8-19-08

1) See Federal Rules of Criminal Procedure rules 3 and 54.

AFFIDAVIT

88-1115-M

Your affiant, Brendan Cullen, being duly sworn and deposed, states as follows:

I. INTRODUCTION

1. I am a law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516. I have been a Special Agent with the United States Immigration and Customs Enforcement (ICE) for approximately four years, and currently assigned to the ICE Philadelphia, Pennsylvania Special Agent in Charge (SAC).

2. During my tenure with the ICE, I have participated in numerous narcotics investigations during the course of which I have conducted physical and wire surveillance, executed search warrants, and reviewed and analyzed taped conversations and records of drug traffickers. Through my training, education, and experience, which has included debriefing cooperating drug traffickers, confidential sources and being a co-case agent on court authorized electronic surveillance conducted pursuant to Title 18, United States Code, Section 2510, et seq., monitoring wiretapped conversations of drug traffickers, and conducting surveillance on numerous occasions of individuals engaged in drug trafficking, I have become familiar with the manner in which illegal drugs are imported and distributed, the method of payment for such drugs, and the efforts of persons involved in such activity to avoid detection by law enforcement.

3. I make this affidavit in support of a criminal complaint and request for arrest warrants for the following persons: CHHUN PRIL, a/k/a "WOLF," JENNIFER

KHOUNSACKNARATH, DANNY KLOT, TONY NGUYEN, and OLUTOKUNBO EFUNNUGA, a/k/a "SHENG," a/k/a "SHIZZ."

4. As set forth below, I believe that there is probable cause evidence of the commission of the following crimes by the above-named individuals and others known and unknown ("targets"), namely, conspiracy to distribute and to possess with intent to distribute MDMA ("ecstasy") and other controlled substances, in violation of Title 21, United States Code, Section 846 and 841(a)(1); use of a communication facility in facilitating the commission of controlled substance offenses, in violation of Title 21, United States Code, Section 843(b), and aiding and abetting, in violation of Title 18, United States Code, Section 2.

5. The information set forth below is known to me personally or received from other law enforcement agents and officers, including agents of the ICE, DEA, Pennsylvania State Police, and the Philadelphia Police Department, including information obtained from law enforcement surveillance, arrests of targets and others related to the investigation, court-authorized pen registers and Title-III wire interceptions; and, business and government records and documents.

6. In this affidavit, I refer to certain telephone calls intercepted pursuant to court orders, many of which were conducted in the Vietnamese and Cambodian languages. Vietnamese and Cambodian-speaking designated monitors listened to these calls and prepared English language draft summaries of their contents, on which I am relying. Modifications to the summaries and quotations set forth below, however, may occur in the preparation of final transcripts. The characterizations of the content of intercepted calls described below are based upon my and other agents' training,

experience and knowledge in this and other similar investigations. This affidavit does not contain all information pertaining to this investigation, but rather only sufficient information to establish probable cause for a search warrant for each of the above-described addresses.

II. BACKGROUND OF INVESTIGATION

7. For approximately three years, ICE/Philadelphia has been investigating marijuana and ecstasy trafficking organizations, with transportation and distribution networks operating between Canada and the United States, importing illegal drugs from Canada to the United States. It is believed that the drug organization described in this affidavit is responsible for smuggling from Canada and distributing into the United States significant quantities of marijuana and ecstasy over past several years.

8. The present ICE/Philadelphia investigation used court-authorized electronic surveillance and other investigative techniques. Court-authorized electronic surveillance intercepted the targets in numerous drug-related conversations and the investigation has led, directly and indirectly, to the seizures of significant quantities of marijuana, MDMA, and the arrests of several individuals. The investigation also indicated that the targets use their residences and other locations to store, process and facilitate the distribution of ecstasy and marijuana in the Philadelphia, Pennsylvania area and elsewhere. Based on intercepted telephone calls, surveillance and toll analysis, there is probable cause to believe that:

- a. CHHUN PRIL a/k/a "WOLF" (WOLF) is a Cambodian male, who is believed to be a wholesale supplier of MDMA pills to TONY NGUYEN and other mid-level distributors, in a drug distribution network which operates between Philadelphia, Pennsylvania, Lowell, Massachusetts and Canada. WOLF frequently travels with DANNY KLOT to Lowell, Massachusetts to secure quantities of 5,000 or more MDMA pills at a time

from Massachusetts suppliers, which WOLF transports to the Philadelphia, Pennsylvania area for distribution. WOLF is aided by his common law wife, JENNIFER KHOUNSACKNARATH, in the distribution of MDMA and collection of drug proceeds. WOLF has purchased and attempted to purchase several firearms over the past few months and he has been intercepted planning armed robberies of drug customers and others.

- b. JENNIFER KHOUNSACKNARATH is a Laotian-American female who is believed to work with her common-law husband, WOLF, in the MDMA distribution business and who is primarily responsible for collection of the money from WOLF's drug customers.
- c. DANNY KLOT is a Cambodian-American male who is believed to work at the direction of WOLF in the trafficking of MDMA. DANNY KLOT has traveled to Lowell, Massachusetts on several occasions with WOLF to purchase MDMA and transport the narcotics back to Philadelphia. DANNY KLOT also collects narcotics proceeds for WOLF earned from the sale of MDMA and tests the tablets that WOLF sells to judge the quality of the MDMA. DANNY KLOT also purchased MDMA pills from TONY NGUYEN. DANNY KLOT has access to firearms and is believed to have planned and executed several armed and unarmed robberies.
- d. TONY NGUYEN is a Vietnamese American male who is believed to be a mid-level narcotics distributor to a large customer base in an MDMA distribution network operating in the Philadelphia, PA area. TONY NGUYEN obtains MDMA pills from several sources of supply, including CHHUN PRIL, a/k/a "WOLF," and OLUTOKUNBO EFUNNUGA, a/k/a "SHENG." TONY NGUYEN typically buys and sells MDMA typically in quantities ranging from one hundred (100) to one thousand (1,000) tablets per transaction. Since April 23, 2008, he has been intercepted talking to over 100 narcotics customers. He also has been intercepted in phone discussions about purchasing and attempts to purchase several firearms and in the planning and executing of armed and unarmed robberies of drug customers and others.
- e. OLUTOKUNBO EFUNNUGA, a/k/a "SHENG," a/k/a "SHIZZ" (SHENG) is a Nigerian-born American male who is believed to a wholesale supplier of MDMA tablets to TONY NGUYEN and others. SHENG also obtains substantial quantities of MDMA pills from TONY NGUYEN which TONY NGUYEN, in turn, obtains from WOLF. SHENG directs others in drug transactions and his drug distribution network operates in the Philadelphia, Pennsylvania, and Wilmington, Delaware, areas.

III. PERTINENT INTERCEPTED CALLS AND SURVEILLANCE

9. The following calls were intercepted pursuant to Orders issued in the United States District Court on April 24, 2008, May 23, 2008, June 23, 2008, and July 14, 2008.¹

May 20-21, 2008 : 1,000 pill MDMA transaction

10. On May 20, 2008, at approximately 8:27 p.m. (Session 8564 on TT#6), TONY NGUYEN called JENNIFER KHOUNSACKNARATH and he asked for WOLF. She said that WOLF would be back soon. He also asked her to ask WOLF about the “superman” (i.e., type of MDMA) because his customer wanted to know the cost for 1,000 pills of this type. At approximately 8:31 p.m., TONY NGUYEN got a call from WOLF (Session 8566 on TT#6). TONY NGUYEN asked WOLF how much he wanted for one thousand MDMA pills (“the stack”) and WOLF replied that it would cost \$3.75 per pill. WOLF warned that if TONY NGUYEN did not take it tonight then it would be gone because WOLF had people (i.e., customers) from Virginia coming up to pick up the remainder of his MDMA stash tomorrow. WOLF told TONY NGUYEN that by tomorrow at one or two o’clock, he (WOLF) would be sold out.

11. The following events occurred on May 21, 2008:

a. At approximately 3:11 p.m. (Session 8670 on TT#6), WOLF told TONY NGUYEN that his customer was supposed to pick up the whole supply that day but could not afford all of it, so WOLF had some MDMA left for TONY NGUYEN if he still wanted to purchase it for \$3.50 for 100 (“one roll”). TONY NGUYEN agreed and would call WOLF right back.

b. At approximately 4:22 p.m. (Session 8682 on TT#6), TONY NGUYEN asked WOLF to bring one stack (i.e., 1,000 MDMA pills) to TONY NGUYEN's school in 15 minutes; that TONY NGUYEN's people (i.e., customers) would pick it up in 20 minutes.

c. At approximately 5:02 p.m. (Session 8691 on TT#6), TONY NGUYEN asked WOLF to drop off the MDMA tablets because TONY NGUYEN's guy was coming in five minutes. WOLF told TONY NGUYEN that JENNIFER KHOUNSACKNARATH was on the way to TONY NGUYEN right now.

d. At approximately 5:08 p.m. (Session 8692 on TT#6), TONY NGUYEN got a call from JENNIFER KHOUNSACKNARATH. TONY NGUYEN told her to come into his school.

e. At approximately 5:17 p.m., surveillance agents observed TONY NGUYEN and an unidentified Asian male in front of a beauty school located at 6938 Market St., Upper Darby, PA. At approximately 5:20 p.m., SA Thad Baxter observed TONY NGUYEN talking to JENNIFER KHOUNSACKNARATH outside of the beauty school.

f. At approximately 5:24 p.m. (Session 8696 on TT#6), SHENG and TONY NGUYEN agreed to meet underneath the bridge by the terminal at 69th Street in Upper Darby. At approximately 5:25 p.m., SA Baxter observed TONY NGUYEN and JENNIFER KHOUNSACKNARATH walking away from the school.

g. At approximately 5:27 p.m., SA Lawrence Woods observed TONY NGUYEN and JENNIFER KHOUNSACKNARATH sitting in SHENG'S red

1 "TT#" refers to telephone facilities for which wire interception was authorized; "Session" refers to assigned identification numbers for intercepted calls during the course of the wire interception.

Ford F-150 truck. At approximately 5:33 p.m., SA Hartman observed TONY NGUYEN and JENNIFER KHOUNSACKNARATH walking on Market Street, Upper Darby, PA, and the red Ford F-150 had left the area.

12. Based on my training and experience, and the above intercepted conversations and surveillance, it is my belief that TONY NGUYEN purchased 1,000 MDMA pills from WOLF at the cost of \$3.75 per pill and, with the assistance of JENNIFER KHOUNSACKNARATH, they delivered the 1,000 MDMA pills to SHENG. The price per pill in this transaction is consistent with the wholesale street value of MDMA sold in quantities of 1,000 pills at a time.

June 19-20, 2008: 1,000 pill MDMA transaction

13. On June 19, 2008 and June 20, 2008, several phone calls were intercepted over telephones used by TONY NGUYEN, WOLF, SHENG, and JENNIFER KHOUNSACKNARATH regarding a 1,000 MDMA tablet transaction:

a. On June 19, 2008, at approximately 10:17 p.m. (Session 14026 on TT#6), SHENG told TONY NGUYEN that he needed the “transformers” (i.e., type of MDMA). TONY NGUYEN said that they were currently out of the “transformers” but they had the “blue doll” (i.e., type of MDMA). SHENG told TONY NGUYEN that he had twenty-five (\$2,500) on him and asked TONY NGUYEN to front him 1,000 MDMA tablets and that SHENG would give him the rest of the money on Sunday.² TONY NGUYEN said he could not agree to front the MDMA because the drugs were not his. SHENG said that the next time TONY NGUYEN wanted SHENG to front MDMA to

² “Fronting” is a transaction between drug dealers where the supplier provides the drugs to a mid-level distributor and payment is made after the mid-level distributor sells the drugs to his customers.

him, he would accommodate TONY NGUYEN's request.³ At approximately 11:08 p.m. (Session 14041 on TT#6), TONY NGUYEN asked WOLF for 1,000 MDMA tablets ("the G pack") and told WOLF that his people (i.e., SHENG) would pay \$2,500 immediately for the MDMA and the remainder on Sunday. WOLF agreed to this arrangement. At approximately 11:10 p.m. (Session 14042 on TT#6), TONY NGUYEN told SHENG to pick up the drugs. SHENG offered to give TONY NGUYEN 110 orange MDMA ("orange ones") for TONY NGUYEN's effort. At approximately 11:23 p.m. (Session 14049 on TT#6), TONY NGUYEN and SHENG arranged to meet at TONY NGUYEN's school in Upper Darby. At approximately 11:48 p.m., SA Hartman observed TONY NGUYEN as he walked up Shelborne St. from the area of WOLF'S house and cross the street towards Garret Road. At approximately 11:49 p.m., SA Hartman observed TONY walk into Alpha Billiards at 54 Garrett Road, Upper Darby PA. At approximately 11:53 p.m., SA Zellers observed a red pick up truck bearing Pennsylvania registration YWG-6946 in the area of 69th St, and Market Street, Upper Darby, known to be driven by SHENG. At approximately 11:54 p.m., SA Hartman observed TONY NGUYEN get into a white station wagon with an unknown Asian male. SA Mark Duffy then observed SHENG's red pick-up truck and the white station wagon, in which TONY NGUYEN was a passenger, park next to each other near the KC Beauty Supply store in Upper Darby. SA Duffy saw TONY NGUYEN get into the passenger side of SHENG's truck. The white station wagon left the area and, at approximately 11:58 p.m., SA Duffy saw TONY NGUYEN exit SHENG'S truck and walk up Garret Road.

³ The intercepted calls described in this Affidavit and others have indicated that TONY NGUYEN and SHENG supply different types of MDMA pills to each other as needed.

14. On June 20, 2008, at approximately 7:45 p.m. (Session 14164 on TT#6), SHENG told TONY NGUYEN that he was back in town and would stop by to give TONY NGUYEN the money that SHENG owed to him. SHENG said that he had fifteen (i.e., \$1,500) and would still owe TONY NGUYEN five (i.e., \$500). TONY NGUYEN agreed to pick up the money at SHENG'S house on 63rd Street. At approximately 7:46 p.m., TONY NGUYEN called JENNIFER KHOUNSACKNARATH to go with him to pick up her money from SHENG at 63rd Street, but WOLF told TONY NGUYEN to pick up the money himself and bring it to WOLF's house.

15. Based on my training and experience, and the above intercepted conversations and surveillance, it is my belief that SHENG purchased 1,000 "blue dolls" MDMA pills from TONY NGUYEN under a partial "fronting" arrangement sanctioned by WOLF. SHENG paid \$2,500 immediately, \$1,500 the following day. TONY NGUYEN called JENNIFER KHOUNSACKNARATH, who collects drug proceeds for WOLF, to pick up the rest of the money, but WOLF told NGUYEN to get it himself and bring it to WOLF.

June 26-July 1, 2008: 5,000 pill MDMA transaction

16. On June 26, 2008, at approximately 5:45 p.m. (Session 787 on TT#12), WOLF ordered 5,000 tiger head MDMA tablets from a supplier in Lowell, Massachusetts, for \$3.25 per tablet.

17. On June 28, 2008, at approximately 11:15 a.m. (Session 15343 on TT#6), WOLF told TONY NGUYEN that he was unable to leave for Lowell until Monday because his wife (JENNIFER KHOUNSACKNARATH) wanted to make the trip.

WOLF told TONY NGUYEN to come over and get his money but TONY NGUYEN asked and WOLF agreed to just hold the money.

18. On June 29, 2008, at approximately 9:35 p.m. (Session 15696 on TT#6), DANNY KLOT told TONY NGUYEN that they (KLOT and WOLF) were going to Lowell the next day and asked if he wanted to go, to which TONY NGUYEN declined.

19. The following events occurred on June 30, 2008:

a. At approximately 9:00 a.m., the GPS tracking device on WOLF's Honda Odyssey indicated that it was traveling northbound on I-95, north of Philadelphia. At approximately 12:00 p.m., the GPS showed WOLF's vehicle in Darien Connecticut, and, at 4:05 p.m., in Lowell, Massachusetts.

b. At approximately 4:33 p.m. (Session 1933 on TT#13), SHENG got a call from an unidentified MDMA customer using (302) 565-0733. SHENG told the unidentified customer that the transformers will be in around 10:00 p.m. and he would let him (the customer) know when they arrived. SHENG asked the customer if he wanted 500 tablets and he responded that he did.

c. At approximately 6:12 p.m. (Session 1938 on TT#13), TONY NGUYEN called SHENG and told him that as soon as they (i.e., WOLF and DANNY KLOT) come back, NGUYEN would drop the MDMA off to him. SHENG told TONY NGUYEN to call him tonight because he has people (i.e., customers) waiting. TONY NGUYEN said it would probably be around 12 o'clock (midnight).

d. At approximately 9:33 p.m. (Session 15837 on TT#6), DANNY KLOT told TONY NGUYEN to come to WOLF's house at 11:00 p.m.

e. At approximately 9:46 p.m. (Session 15840 on TT#6), TONY NGUYEN got a call from NGOC LNU, an MDMA customer. TONY NGUYEN told NGOC LNU that he was going to Upper Darby to pick up the MDMA ("candies").

f. At approximately 9:47 p.m. (Session 1939 on TT#13), TONY NGUYEN told SHENG that they would be here at 11:30 p.m.

g. At approximately 10:12 p.m., Group Supervisor (GS) Spaide observed a dark colored van (later identified as WOLF's Honda Odyssey) parked behind WOLF'S residence. At approximately 10:17 p.m. (Session 15843 on TT#6), TONY NGUYEN called JENNIFER KHOUNSACKNARATH who told him that WOLF was home. TONY NGUYEN then asked her if it was the transformers and she replied that it was.

h. At approximately 10:59 p.m. (Session 15855 on TT#6), TONY NGUYEN told SHENG that everything was done and that he would drop it off at SHENG's house after he finished counting everything. SHENG acknowledged and told TONY that the guy would be waiting for him.

i. At approximately 11:17 p.m. (Session 15857 on TT#6), TONY NGUYEN told WOLF that he was two blocks away and was with his (TONY NGUYEN's) brother Jimmy but that he would walk to WOLF's house alone. At approximately 11:20 p.m., GS Spaide observed TONY NGUYEN enter WOLF's house. At approximately 11:23 p.m., SA Hartman and GS Spaide observed TONY NGUYEN exit WOLF's house and leave the area in his black Toyota Camry. At approximately 11:29 p.m., GS Spaide observed TONY NGUYEN return to WOLF's house. At approximately 11:32 p.m., GS Spaide observed TONY NGUYEN leave WOLF'S house

and walk towards his black Camry. TONY NGUYEN was observed at the hood of his car and then walk toward the trunk.

j. At approximately 11:35 p.m. (Session 15863 on TT#6), TONY NGUYEN told SHENG that the transformers were blue and that he was five blocks from SHENG's house. At approximately 11:40 p.m., SA Hartman observed TONY NGUYEN park outside of SHENG's house where he met an unidentified male who was waiting on the front steps of SHENG's residence. TONY NGUYEN, who was carrying a bag, and the unidentified male then walked to the rear of SHENG's residence. At approximately 11:43 p.m., SA Hartman observed TONY NGUYEN walk from the rear of SHENG'S residence to his car.

20. On July 1, 2008, at approximately 12:42 a.m. (Session 15877 on TT#6), TONY NGUYEN asked JENNIFER KHOUSACKNARATHI to drop off a roll (i.e., 100 MDMA tablets) for him in Southwest Philadelphia. She told him to ask WOLF. When TONY NGUYEN asked WOLF to drop off a roll, WOLF said he was not going anywhere. At approximately 1:27 a.m. (Session 15893 on TT#6), TONY NGUYEN again called WOLF and asked WOLF if he (TONY) could come by his house to pick up one more roll, to which WOLF agreed. At approximately 11:42 a.m. (Session 15965 on TT#6), TONY NGUYEN told WOLF that the transformers were good quality; that they got him "f**ked up" and that he needed another roll. TONY NGUYEN asked if WOLF still had a lot left, that there were a lot of orders coming in. WOLF told TONY NGUYEN that he had two thousand-five left (i.e., 2,500).

21. Based on my training and experience, and the above intercepted conversations and surveillance, it is my belief that WOLF placed an order for 5,000

MDMA tablets with a supplier in Lowell, Massachusetts. On June 30, 2008, WOLF and DANNY KLOT drove to Lowell, MA to pick up the tablets and returned immediately to WOLF's residence in Upper Darby, Pennsylvania to distribute them. In the meantime, TONY NGUYEN talked to numerous customers, advertising the fact that the tablets were coming to town and they would be available that night. As soon as TONY NGUYEN took possession of his MDMA supply from WOLF, he delivered them directly to SHENG. By the following day, WOLF had sold half of the 5,000 tablets.

July 3, 2008: 1,000 pill MDMA transaction

22. On July 3, 2008 (Session 16451 on TT#6), at approximately 1:53 p.m., LAN LNU asked TONY NGUYEN to obtain some MDMA ("jaun") for him. Subsequently (Session 16453 on TT#6), TONY NGUYEN asked WOLF if he still had the 1,000 left. WOLF asked when TONY NGUYEN wanted it, if his customers had the money ready and told TONY NGUYEN he would see him in thirty minutes. At approximately 2:04 p.m. (Session 16460 on TT#6), TONY NGUYEN asked WOLF if the price was \$4.25. WOLF acknowledged that it was. At approximately 2:40 p.m. (Session 16470 on TT#6), LAN LNU confirmed to TONY NGUYEN that he wanted 1,100 tablets and the two further discussed the price. At approximately 2:54 p.m. (Session 16472 on TT#6), WOLF told TONY NGUYEN to meet at Ball Busters (billiards hall). At approximately 3:07 p.m. (Session 16475 on TT#6), WOLF told TONY NGUYEN that he had to put out new stuff because he didn't have enough transformers; that he would give NGUYEN 400 transformers and 500 peach color lions and 100 blues (i.e., MDMA tablets). At approximately 3:08 p.m., SA Edwardo Rosario observed TONY NGUYEN arrive at Ball Busters billiards hall. At approximately 3:28 p.m., SA Hartman observed

an Asian male in the backseat of a black Lexus being driven by WOLF. At approximately 3:31 p.m., surveillance observed an Asian male with a ball cap (later identified as LAN LNU) in the driver's side of TONY NGUYEN'S car who appeared to be looking for something in the car. LAN LNU then exited TONY NGUYEN's car with a black plastic bag in hand. At approximately 3:32 p.m., surveillance observed WOLF'S car exit the parking lot. At approximately 8:38 p.m. (Session 16570 on TT#6), TONY NGUYEN got a call from WOLF and TONY NGUYEN told WOLF that he was going to drop off the money at WOLF'S house.

23. Based on my training and experience, and the above-described intercepted conversations and surveillance, it is my belief that TONY NGUYEN was contacted by LAN LNU to purchase 1,000 MDMA pills. TONY NGUYEN then contacted WOLF and WOLF provided TONY NGUYEN with several different types of pills, including transformers, lions, and blue colored MDMA. TONY NGUYEN obtained the pills from WOLF in the parking lot of Ball Buster's billiards hall in Southwest Philadelphia. TONY NGUYEN then met with LAN LNU in the same parking lot and gave him the tablets. Later in the evening, TONY NGUYEN gave the money to WOLF.

24. On August 1, 2008, at 5:34 p.m. (Session 6935 on TT#15), WOLF told JENNIFER KHOUNSACKNARATH that he just got off the phone with MAO and that the border patrol guy (i.e., someone who assisted in getting MDMA through the border) is going to the Cambodian Festival in Lowell, MA and would not be back to work for another two weeks. WOLF said that he would call SAM, another source of supply for

MDMA, but said that SAM uses the same supplier so he probably wouldn't have any MDMA either.

25. On August 1, 2008, at approximately 6:09 p.m. (Session 3052 TT#16), WOLF told TONY NGUYEN that he just spoke with his boss who said that he was out of MDMA and that the border patrol official who facilitates the MDMA coming into the U.S. is on vacation for two weeks. WOLF complained to TONY NGUYEN that because TONY NGUYEN did not pay WOLF on time for his previous MDMA purchases, WOLF missed his opportunity to renew his supply of MDMA and he is taking a big financial loss because of TONY NGUYEN. TONY NGUYEN stated that he is also taking a big financial loss because of this delayed shipment of MDMA. WOLF told TONY NGUYEN that JENNIFER KHOUNSACKNARATH is upset with WOLF because of this delay and their inability to make any money. TONY NGUYEN apologized to WOLF for causing this delay.

26. On August 5, 2008, at 2:56 p.m. (Session 7096 on TT#15), JENNIFER KHOUNSACKNARATH told CHRIS LNU, an MDMA customer that there were no MDMA tablets in yet and she heard that it would be another two weeks before the MDMA could be picked up.

27. On August 10, 2008, at 4:45 p.m. (Session 3977 on TT#16), WOLF received a call from THAI LNU, a MDMA customer. THAI LNU asked WOLF when WOLF would have MDMA available for sale. WOLF responded that he would probably have MDMA sometime on the following week.

28. On August 12, 2008, at approximately 2:23 p.m. (Session 4102 on TT#16), TONY NGUYEN complained to WOLF about TUNG LNU for calling TONY

NGUYEN and bothering him about purchasing MDMA pills. TONY NGUYEN stated that he does not have anything. WOLF responded that he spoke with his boss (i.e., CHIN) who told him that the MDMA should be available in a couple of days.

29. On July 22, 2008, WOLF placed an outgoing call to (413) 306-7388 (Session 1986 TT#16). WOLF spoke with an individual identified only as "MAO". WOLF asked MAO if he had any MDMA. MAO stated that he would have to make a call to an unidentified individual and then call WOLF back. WOLF then asked MAO if he could sell him (WOLF) MDMA at the price of \$3.25 per tablet. WOLF stated that if he could purchase the MDMA for \$3.25 per tablet, he would come to get the narcotics this week. MAO stated that he would call WOLF back.

30. On August 1, 2008, WOLF placed an outgoing call to MAO (Session 3043 TT#16). During this call, WOLF asked MAO what the status was of the MDMA tablets. MAO responded that unidentified individuals told him the MDMA would be available in another two weeks. WOLF acknowledged this and requested MAO to call him when it is available.

31. Beginning on July 23, 2008, according to pen register data and intercepted calls over Target Telephone #16, after each occasion when WOLF contacted or attempted to contact MAO at (413) 306-7388, he immediately placed a call to (351) 201-9479. On July 26, 2008, WOLF placed an outgoing call to (351) 201-9479 and left a message for an individual named "SAM" (Session 2414 TT#16). During this voicemail message, WOLF told SAM that he (WOLF) is waiting for his phone call. On August 1, 2008, JENNIFER KHOUNSACNARATH placed a call to WOLF (Session 6935 TT#15). During this call, WOLF stated that he will call SAM but he is sure that SAM will tell

WOLF that same thing that MAO did because SAM and MAO both receive their MDMA from the same source of supply. On August 1, 2008, WOLF placed a call to SAM (Session 3045 TT#16). SAM did not pick up the phone and WOLF did not leave SAM a voicemail message.

32. Beginning on August 14, 2008, according to pen register data, WOLF began making and receiving calls to/from both MAO and SAM.⁴ Based on the length of time elapsed during these calls, it is clear that many of these calls were completed.

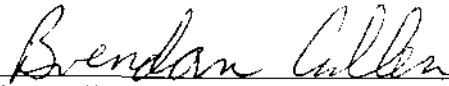
33. On August 19, 2008, according to pen register data, WOLF made and received numerous calls to and from both MAO and SAM. On August 19, 2008, at approximately 12:30 p.m., according to a GPS device affixed to WOLF's vehicle, he departed the Philadelphia area at approximately 12:30 p.m., according to both the geographical track taken by WOLF's vehicle and physical surveillance of this vehicle, WOLF traveled northbound on Route 95 through New Jersey, New York, Connecticut and Massachusetts before he reached his destination in Lowell, Massachusetts. During this trip, WOLF made and received calls from both MAO and SAM.

CONCLUSION

34. Based upon the information set forth above, I believe that probable cause exists for the issuance of arrest warrants for the individuals CHHUN PRIL, a/k/a "WOLF," JENNIFER KHOUNSACKNARATHI, DANNY KLOT, TONY NGUYEN, OLUTOKUNBO EFUNNUGA, a/k/a "SHENG," a/k/a "SHIZZ."

35. I further request that the Application, Arrest Warrant and any supporting papers be SEALED and IMPOUNDED until further order of the Court with the exception

that two certified copies of the Order to be furnished to an authorized agent of the Bureau of Immigration and Customs Enforcement.


Brendan Cullen
Special Agent ICE

Sworn and subscribed
before me this 17th day
of August, 2008.


HON. TIMOTHY R. RICE
UNITED STATES MAGISTRATE JUDGE

⁴ On August 12, 2008, a court order expired on WOLF's telephone (Target Telephone #16). Since that date, ICE/Philadelphia has monitored court-authorized pen-register and cell site data